

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT Application of  
Saville, et. al.

Group Art Unit: Unknown

U.S. Serial No. 10/797,019 /

Examiner: Unknown

Filed: March 11, 2004

Att. Docket No.: 95773-1439

For: ENHANCEMENT OF ENZYME ACTIVITY BY SELECTIVE PURIFICATION

October 27, 2004

**REQUEST FOR RECONSIDERATION OF PETITION UNDER 37 C.F.R. § 1.47(a)**

**MAIL STOP PETITION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This request for reconsideration of the petition by co-inventor Bradley A. Saville under 37 C.F.R. § 1.47(a) to file the above-identified application for regular patent application on behalf of himself and on behalf of co-inventor, Mikhail I. Khavkine, who has refused to sign the Oath, is timely filed within the two-month time period set by the Decision mailed September 16, 2004. If any extension or petition fees are due to have this request considered, please charge them to our deposit account No. 50-0687 under Order No. 95773.

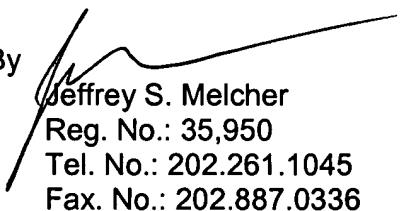
The Decision states that Applicant has complied with all requirements except (1), proof that the non-signing inventor refused to sign the declaration. In response, Mr. Saville submits herewith conclusive proof that Mr. Khavkine refused to execute the application papers. Attached is an Affidavit Proving Mr. Khavkine Refused to execute application papers under Rule 47(a), which was signed by the person to whom the refusal to sign the applications was made, as required by MPEP 409.03(d). Accompanying that Affidavit is a copy of the cover letter sent to Mr. Kavkine with a complete copy of the application papers, and the tracking details confirming that the application papers and cover letter were received by Mr. Kavkine on October 4, 2004. Mr. Kavkine has refused to sign the declaration.

U.S. Serial No. 10/797,019  
October 27, 2004  
Page 2

Mr. Saville has complied with the requirements of Rule 47(a) and MPEP § 409.03(a). Accordingly, Mr. Saville respectfully requests that this Petition be granted and that he be granted permission to file the above-identified application for regular patent application on behalf of himself and on behalf of the non-signing co-inventor.

Respectfully submitted,  
Manelli Denison & Selter, PLLC

By

  
Jeffrey S. Melcher  
Reg. No.: 35,950  
Tel. No.: 202.261.1045  
Fax. No.: 202.887.0336

Customer No. 20736  
2000 M Street, N.W. , 7<sup>th</sup> Floor  
Washington, D.C. 20036-3307